

STATEMENT OF BASIS (AI No. 75861)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0124125 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Homeland Reality, L.L.C.
Genesis Oilfield Pipe & Supply, Inc.
4414 Highway 90 West
New Iberia, Louisiana 70560

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Michelle Bickham

DATE PREPARED: June 20, 2008

1. PERMIT STATUS

A. Reason For Permit Action:

Issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permit - LAG541029
LPDES permit effective date: March 1, 2003 (issued to previous company)*
LPDES permit expiration date: June 28, 2008

*LAG541029 was transferred to Homeland Reality, L.L.C., Genesis Oilfield Pipe & Supply, Inc. on January 31, 2007. This permit will be voided upon the issuance of this individual permit.

C. Date Application Received: July 3, 2007 The facility submitted an LPDES Notice of Intent to Discharge Sanitary Wastewater in order to modify their existing coverage from a Class II sanitary permit (they are only discharging 200 gpd). This facility, however, requires stormwater coverage in addition to coverage for their sanitary wastewater. A Multi-Sector General Notice of Intent was requested but never received for this facility; therefore, an individual permit will be issued for this facility.

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY - oilfield service company

Homeland Reality, L.L.C., Genesis Oilfield Pipe & Supply, Inc. is an existing oilfield service company. This facility buys and sells oilfield equipment, including but not limited to, drill pipe, tubulars, collars, hooks, blocks, valves, and gears. Used equipment is refurbished, and equipment is stored at the facility. Equipment is

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washed off-site but is stored on-site sometimes prior to it being cleaned.

B. FEE RATE

1. Fee Rating Facility Type: Minor
2. Complexity Type: II*
3. Wastewater Type: III
4. SIC code: 1389

*BPJ points to 0 based on low flow and similar facilities.

C. LOCATION - 4414 Highway 90 West, New Iberia, Iberia Parish
 Latitude 30°01'17", Longitude 91°54'59"

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: treated sanitary wastewater
 Treatment: sewage treatment plant with aeration and chlorination
 Location: at the point of discharge from the sewage treatment plant (Latitude 30°01'17", Longitude 91°54'59")
 Flow: 200 gpd
 Discharge Route: local drainage thence to Segura Branch Canal

4. RECEIVING WATERS

STREAM - local drainage thence to Segura Branch Canal

BASIN AND SEGMENT - Vermilion-Teche Basin, Segment 060901

DESIGNATED USES - a. primary contact recreation
 b. secondary contact recreation
 c. propagation of fish and wildlife

5. TMDL/303(d) WATERBODIES

Subsegment 060901 is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment 060901 was previously listed as impaired for suspended solids/turbidity/siltation, nutrients, organic enrichment/low DO, pathogen indicators, carbofuran, and phosphorus for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving waterbodies based upon additional TMDL's and/or water quality

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studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL's have been established for subsegment 060901:

The TMDL for TSS, Turbidity, and Siltation was completed May 2001. Point sources do not represent a significant source of TSS as defined in this TMDL and are already addressed by LDEQ through permitting of point sources. To protect against the further impairment of the suspended solids/turbidity/siltation cause a TSS limit has been established in the permit.

The Bayou Petite Anse TMDL's for Dissolved Oxygen and Nutrients was completed April 2002. According to this TMDL, all facilities with oxygen demanding parameters in their permit were included in the TMDL calculations, but none of them were considered large enough to be modeled explicitly. LDEQ's position on nutrients, as supported by the ruling in *Sierra Club v. Givens*, 710 So.2d 249 (La. App. 1st Cir. 1997), writ denied, 705 So.2d 1106 (La. 1998), is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. LAC 33:IX.2707.D.1.f.iii allows the establishment of effluent limitations based on an indicator parameter for the pollutant of concern. LDEQ's consistent approach to controlling nutrients where the WQMP does not otherwise require specific nutrient limitations is achieved by limiting the discharge of oxygen-demanding substances through a BOD₅ limitation. Compliance with the BOD₅ limitation as the indicator parameter will result in the control of nutrients from the discharge sufficient to attain and maintain the applicable water quality standard. Effluent monitoring of the indicator parameter as conducted by the permittee in accordance with the permit in addition to LDEQ's ambient water quality monitoring program will allow for further evaluation by the Department to determine the effectiveness of the limitation. The reopener clause located in the permit allows the Department to modify or revoke and reissue the permit if the limitations as set on the indicator parameter are shown to no longer attain and maintain applicable water quality standards.

The Bayou Petite Anse TMDL for Fecal Coliform was completed April 2003. This facility's discharges were not addressed in this TMDL. To protect against the further impairment of the pathogen indicators impairment cause, a fecal coliform limitation has been established in this permit.

The TMDL for Carbofuran in the Mermentau and Vermilion Teche River Basins was final on March 21, 2002. No allocation was given to point source discharges in the Vermilion Teche River Basin. According to the TMDL,

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there is only one point source in the Vermilion Teche (FMC Corp. LA0064360), but it no longer discharges Carbofuran. In addition, this facility has no potential to discharge Carbofuran. Therefore, requirements for Carbofuran will not be placed in this permit.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

7. COMPLIANCE HISTORY/COMMENTS

There was an inspection at the facility on August 7, 2006. The findings were as follows: (1) The facility is an office building for a pipeyard with a mechanical treatment plant. (2) The current owners are operating under the previous owner's permit. (3) There were no chlorine tablets in the chlorine contact chamber, but chlorine was added during the inspection. Additionally, there was vegetation and algae growing in the chamber. (4) The facility has been operating for approximately one year but has done no sampling.

DMR's were available back to the period of July 2006 - September 2006. Prior to this, the facility was not submitting DMR's (see inspection summary above). Since this time, all DMR's have been submitted in accordance with the existing permit with the following excursion:

DMR Review/Excursions

<u>Date</u>	<u>Parameter</u>	<u>Outfall</u>	<u>Reported Value</u>	<u>Permit Limits</u>
9/06	TSS	001	60 mg/L	45 mg/L

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8. EXISTING EFFLUENT LIMITS

Outfall 001 - sanitary wastewater

Parameter	LPDES	
	Monthly Average	Weekly Average
Flow - gpd	---	Report 1/3 months Est.
BOD ₅	30 mg/L 1/3 months Grab	45 mg/L 1/3 months Grab
TSS	30 mg/L 1/3 months Grab	45 mg/L 1/3 months Grab
Fecal Coliform	200 col./100 mL 1/3 months Grab	400 col./100 mL 1/3 months Grab
pH	6.0 - 9.0 s.u. 1/3 months Grab	

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 060901 of the Vermilion-Teche Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 24, 2007, from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

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10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

13. STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water coverage shall not be required in an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 1389 are considered to have storm water discharges associated with industrial activity.

The SWP3 shall be prepared, implemented, and maintained within (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in the storm water discharges associated with industrial activity at the facility (see Narrative Requirements for the AI).

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Rationale for Homeland Reality, L.L.C.

1. **Outfall 001** - treated sanitary wastewater (estimated flow - 200 gpd)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg:Weekly Avg (mg/l)	<u>Reference</u>
Flow	Report:Report	
BOD ₅	---:45 mg/L	Similar discharges (BPJ); LAG530000
TSS	---:45 mg/L	Similar discharges (BPJ); LAG530000
Fecal Coliform	---:400 col/100mL*	Similar discharges (BPJ); LAG530000
pH	6.0 - 9.0 s.u.	Similar discharges (BPJ); LAG530000

Treatment: sewage treatment plant including aeration and chlorination

Monitoring Frequency: semiannually for all parameters at the point of discharge from the sewage treatment plant

Limits Justification: LPDES General Permit LAG530000 and is consistent with similar discharges from minor industrial facilities

*Daily Max

BPJ Best Professional Judgement
su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.